

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 580 Department or Agency Alabama Department of Mental Health

Rule No. 580-5-30-.08

Rule Title: Community Placement Service Provision

         New          X Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? NO

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

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Does the proposed rule have an economic impact? NO If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer Debbie S. Powell

Date 9/18/20

Alabama Department of Mental Health

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Alabama Department of Mental Health

**RULE NO. & TITLE:** 580-5-30-.08 Community Placement Service Provision

**INTENDED ACTION:** Amend

**SUBSTANCE OF PROPOSED ACTION:** The Developmental Disabilities Division of the Alabama Department of Mental Health proposes to amend Chapter 580-5-30, Intellectual Disabilities Services, and repeal Chapter 580-5-33, Administrative and Support Requirements for Community Providers of Intellectual Disabilities Services. These proposed changes are intended to streamline and consolidate requirements and replace language deemed outdated and inappropriate current professional standards of practice. All requirements recommended for deletion from the Administrative Code shall be adopted in ADMH Policies and/or in DDD Operational Procedures as appropriate.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** All interested persons may submit data, views, or arguments in writing to Debbie Popwell, Director, Office of Certification Administration, Alabama Department of Mental Health, 100 North Union Street, Suite 540, Montgomery, Alabama 36130 by mail or in person or by electronic means to [Debbie.popwell@mh.alabama.gov](mailto:Debbie.popwell@mh.alabama.gov) until and including November 4, 2020. Persons wishing to submit data, views, or arguments orally should contact Ms. Popwell by telephone at (334) 353-2069 during this period to arrange for an appointment.

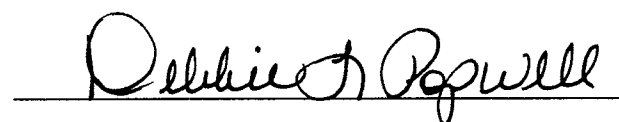
**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:** November 4, 2020

**CONTACT PERSON AT AGENCY:**

Persons wishing a copy of the proposed may contact Debbie Popwell, Department of Mental Health, 100 North Union Street, Suite 540, Montgomery, Alabama 36130.

(334) 353-2069

A copy of the proposed change is available on the department's website at <http://mh.alabama.gov>. Click on Provider Portal and then Certification to find code with changes.

A handwritten signature in black ink, reading "Debbie Popwell", is written over a horizontal line.

(Signature of officer authorized to promulgate and adopt rules or his or her deputy)

**580-5-30-.08     Community Placement Service Provision.**

(1)            The DDD's Regional Community Service Offices, in conjunction with the appropriate 310 Agency and the individuals, support coordinator, will assist qualified individuals, determined eligible for services by DDD, in locating, developing, and/or administering services in accordance with the individual's specific assessed needs, goals, outcomes, choices, and preferences. ~~Alternative community residential and day/work-program placements and supports. Placements will be made according to each individual's specific needs, choices and desires, and will progress from less independent to more independent environments. Placements and supports will be compatible with the client's age, abilities, medical and developmental needs and desires, and will be such that the individual functions with the maximum degree of independence and self-determination according to his/her capabilities. The goal of providing services and supports to individual with intellectual disabilities is to promote inclusive community-living options, transition outcomes, and employment for individuals to achieve full community integration and inclusion in society in a manner consistent with the strengths, resources, and capabilities for each individual.~~

(2)            Community services will be directed toward providing individuals and their families an array of supportive services and alternatives designed to avoid institutional care and promote independence and integration into the broader community environments. ~~Individuals, their families and the Residential and Community Services staff will coordinate all placement and discharge decisions to include all proper notifications and adequate preparations for community placements. Impasses will be resolved by the DMH Associate Commissioner for Developmental Disabilities.~~

(3)            For settings certified as HCBS waiver service providers, the DDD will promote and enforce all HCBS requirements including the use of person-centered planning.

**Author:** Division of Developmental Disabilities (DMH)

**Statutory Authority:** Code of Ala. 1975, §22-50-11.

**History: Amended:** Filed February 4, 2005; effective March 11, 2005. **Amended:** Filed January 17, 2011; effective December 21, 2011. **Amended:** Filed August 26, 2019; effective October 10, 2019. **Amended:** Filed September 18, 2020.